

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

William J. Colbert
Debtor(s)

Bankruptcy Case No.: 20-21989-CMB
Per January 14, 2021 Proceeding
Chapter: 13
Docket No.: 35 – 19, 26
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated July 27, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: First National Bank of PA (Cl #6-2) .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: January 20, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
William J. Colbert
Debtor

Case No. 20-21989-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Jan 21, 2021

User: gamr
Form ID: 149

Page 1 of 3
Total Noticed: 53

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 23, 2021:

Recip ID	Recipient Name and Address
db	+ William J. Colbert, 7920 Center Road, Ashtabula, OH 44004-8838
cr	+ Freedom Mortgage Corporation, Brock and Scott, PLLC, 302 Fellowship Road, Suite 130, Mt. Laurel, NJ 08054, UNITED STATES 08054-1218
15261150	Bank of America, Attn: Bankruptcy, Nc4-105-03-14 Pob 26012, Greensboro, NC 27420
15261149	+ Bank of America, Po Box 45144, Jacksonville, FL 32232-5144
15267035	Bank of America, N.A., PO BOX 31785, Tampa, FL 33631-3785
15269668	Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15261153	+ Cbna, Po Box 6497, Sioux Falls, SD 57117-6497
15261154	+ Cbna, City Bank Corp/Centralized Bankruptcy, Po Box 790034, St. Louis, MO 63179-0034
15284036	Citibank, N.A., 5800 S Corporate Pl, Sioux Falls, SD 57108-5027
15261161	+ Citibank/Best Buy, Po Box 6497, Sioux Falls, SD 57117-6497
15261162	+ Citibank/Best Buy, Citicorp Credit Svcs/Centralized Bk dept, Po Box 790034, St Louis, MO 63179-0034
15285991	+ FREEDOM MORTGAGE CORPORATION, FREEDOM MORTGAGE CORP., ATTN: BANKRUPTCY DEPARTMENT, 10500 KINCAID DRIVE, FISHERS IN 46037-9764
15268402	+ First National Bank of Pennsylvania, 4140 E. State Street, Hermitage, PA 16148-3401
15261169	+ First Natl Bk Of Pa, 4220 Wm Penn Highw, Monroeville, PA 15146-2734
15261170	+ Freedom Mortgage Corporation, 907 Pleasant Valley Ave, Mount Laurel, NJ 08054-1210
15261171	+ Freedom Mortgage Corporation, Attn: Bankruptcy, 907 Pleasant Valley Ave, Ste 3, Mt Laurel, NJ 08054-1210
15261172	Home Depot Credit Services, PO Box 9001010, Louisville, KY 40290-1010
15266803	+ JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o National Bankruptcy Services, LLC, P.O. Box 9013, Addison, Texas 75001-9013
15267623	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
15261178	+ Shell Card/Citi, Po Box 6497, Sioux Falls, SD 57117-6497
15261179	+ Shell Card/Citi, Attn: Bankruptcy, Po Box 6406, Sioux Falls, SD 57117-6406
15261189	+ Trac/CBCD/Citicorp, Po Box 6497, Sioux Falls, SD 57117-6497
15261190	+ Trac/CBCD/Citicorp, Citicorp Credit/Centralized Bankruptcy, Po Box 20507, Kansas City, MO 64195-0507
15261191	+ USAA Federal Savings Bank, 10750 Mc Dermott, San Antonio, TX 78288-1600
15261192	+ USAA Federal Savings Bank, Attn: Bankruptcy, 10750 Mcdermott Freeway, San Antonio, TX 78288-1600

TOTAL: 25

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 22 2021 03:51:23	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15261152	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jan 22 2021 03:55:13	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15261151	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jan 22 2021 03:58:58	Capital One, Po Box 30253, Salt Lake City, UT 84130-0253
15261165	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jan 22 2021 03:46:00	ComenityCapital/Boscov, Po Box 182120, Columbus, OH 43218-2120
15261166	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jan 22 2021 03:46:00	ComenityCapital/Boscov, Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125

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15261164	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jan 22 2021 03:46:00	Comenitycapital/Big Lot, Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125
15261163	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jan 22 2021 03:46:00	Comenitycapital/Big Lot, Po Box 182120, Columbus, OH 43218-2120
15261167	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jan 22 2021 03:46:00	Comenitycapital/hlthip, Po Box 182120, Columbus, OH 43218-2120
15261168	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jan 22 2021 03:46:00	Comenitycapital/hlthip, Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125
15261158	Email/PDF: ais.chase.ebn@americaninfosource.com	Jan 22 2021 03:51:20	Chase Card Services, Attn: Bankruptcy, Po Box 15298, Wilmington, DE 19850
15261155	Email/PDF: ais.chase.ebn@americaninfosource.com	Jan 22 2021 03:51:20	Chase Card Services, Po Box 15369, Wilmington, DE 19850
15261173	+ Email/Text: PBNCNotifications@peritussservices.com	Jan 22 2021 03:46:00	Kohls/Capital One, Po Box 3115, Milwaukee, WI 53201-3115
15261175	Email/Text: camanagement@mtb.com	Jan 22 2021 03:46:00	M&T Credit Services, Attn: Bankruptcy, Po Box 844, Buffalo, NY 14240
15261174	Email/Text: camanagement@mtb.com	Jan 22 2021 03:46:00	M&T Credit Services, Po Box 900, Millsboro, DE 19966
15261177	Email/Text: Bankruptcy.Notices@pnc.com	Jan 22 2021 03:46:00	PNC Bank, Attn: Bankruptcy, Po Box 94982: Mailstop Br-Yb58-01-5, Cleveland, OH 44101
15261176	Email/Text: Bankruptcy.Notices@pnc.com	Jan 22 2021 03:46:00	PNC Bank, Po Box 3180, Pittsburgh, PA 15230
15284548	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 22 2021 03:51:23	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15285302	Email/Text: bnc-quantum@quantum3group.com	Jan 22 2021 03:46:00	Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788, Kirkland, WA 98083-0788
15261183	+ Email/PDF: gecsed@recoverycorp.com	Jan 22 2021 03:55:08	Syncb/PLCC, C/o Po Box 965024, Orlando, FL 32896-0001
15261184	+ Email/PDF: gecsed@recoverycorp.com	Jan 22 2021 03:58:51	Syncb/PLCC, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15261180	+ Email/PDF: gecsed@recoverycorp.com	Jan 22 2021 03:58:51	Syncb/car Care Midas, C/o Po Box 965036, Orlando, FL 32896-0001
15261181	+ Email/PDF: gecsed@recoverycorp.com	Jan 22 2021 03:58:51	Syncb/hhgreg, C/o Po Box 965036, Orlando, FL 32896-0001
15261182	+ Email/PDF: gecsed@recoverycorp.com	Jan 22 2021 03:51:12	Syncb/hhgreg, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15261514	+ Email/PDF: gecsed@recoverycorp.com	Jan 22 2021 03:58:51	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15261186	+ Email/PDF: gecsed@recoverycorp.com	Jan 22 2021 03:58:51	Synchrony Bank/Lowes, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15261185	+ Email/PDF: gecsed@recoverycorp.com	Jan 22 2021 03:51:12	Synchrony Bank/Lowes, Po Box 956005, Orlando, FL 32896-0001
15261187	+ Email/PDF: gecsed@recoverycorp.com	Jan 22 2021 03:51:12	Synchrony Bank/Sams Club, Po Box 965005, Orlando, FL 32896-5005
15261188	+ Email/PDF: gecsed@recoverycorp.com	Jan 22 2021 03:58:51	Synchrony Bank/Sams Club, Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060

TOTAL: 28

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BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		FREEDOM MORTGAGE CORPORATION
cr	*+	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
15261159	*P++	JPMORGAN CHASE BANK N A, BANKRUPTCY MAIL INTAKE TEAM, 700 KANSAS LANE FLOOR 01, MONROE LA 71203-4774, address filed with court:, Chase Card Services, Attn: Bankruptcy, Po Box 15298, Wilmington, DE 19850
15261160	*P++	JPMORGAN CHASE BANK N A, BANKRUPTCY MAIL INTAKE TEAM, 700 KANSAS LANE FLOOR 01, MONROE LA 71203-4774, address filed with court:, Chase Card Services, Attn: Bankruptcy, Po Box 15298, Wilmington, DE 19850
15261156	*P++	JPMORGAN CHASE BANK N A, BANKRUPTCY MAIL INTAKE TEAM, 700 KANSAS LANE FLOOR 01, MONROE LA 71203-4774, address filed with court:, Chase Card Services, Po Box 15369, Wilmington, DE 19850
15261157	*P++	JPMORGAN CHASE BANK N A, BANKRUPTCY MAIL INTAKE TEAM, 700 KANSAS LANE FLOOR 01, MONROE LA 71203-4774, address filed with court:, Chase Card Services, Po Box 15369, Wilmington, DE 19850
15266847	*+	JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o National Bankruptcy Services, LLC, P.O. Box 9013, Addison, Texas 75001-9013

TOTAL: 1 Undeliverable, 6 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 23, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 20, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor FREEDOM MORTGAGE CORPORATION bnicholas@kmlawgroup.com
Jerome B. Blank	on behalf of Creditor FREEDOM MORTGAGE CORPORATION pawb@fedphe.com
Kenneth M. Steinberg	on behalf of Debtor William J. Colbert julie.steidl@steidl-steinberg.com kenny.steinberg@steidl-steinberg.com;cgoga@steidl-steinberg.com;jbarlow@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com
Maria Miksich	on behalf of Creditor FREEDOM MORTGAGE CORPORATION mmiksich@kmlawgroup.com
Mario J. Hanyon	on behalf of Creditor Freedom Mortgage Corporation wbecf@brockandscott.com mario.hanyon@brockandscott.com
Office of the United States Trustee	ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 8